



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

DANIEL WOLSEY VOORHEES

The men who represented the middle west in congress during the civil war have never been adequately studied. In them existed both extremes of political opinion, separated by the apparently unbridgeable gulf common in times of war and significant from the fact that in the ranks of congress, from Lovejoy to Vallandigham, are seen more or less accurately reflected important elements of the sentiment of the country. In many cases, moreover, these men in the sixties were only beginning a long political career, during which they steadily exemplified certain abiding interests, classes, or points of view. Of such, in the "pivotal" and normally democratic state of Indiana, was Daniel Wolsey Voorhees.

Voorhees was born in Ohio in 1827. His parents were both Americans by birth, his father of Dutch, his mother of Irish stock. The westward migration, so common in the history of men born at this time, took place when he was two months old, and his family settled on a farm in Fountain county, in the central and western portion of Indiana. The boy was brought up on this farm, and though he early evinced more of a taste for books than for profitable labor, he always considered himself as essentially belonging to the farming class. In 1849 he was graduated from Indiana Asbury (now De Pauw) university, entered a law office for a brief period, and after a successful partnership with a man much his senior became prosecuting attorney for the circuit court in 1853. There is no record of Voorhees ever having had any doubts as to his political preferences: he was a democrat from beginning to end. In 1856 he was the democratic candidate for congress in his district, but was defeated by a small margin. President Buchanan not long afterward appointed him United States district attorney for Indiana, in which capacity he served from 1858 to 1861. It was in 1857 that Voorhees moved to Terre Haute, the largest and most important town

in western Indiana, and it was his home from that time until his death.¹

In 1860 Voorhees was elected to the house of representatives on the democratic ticket. Before turning to his political career during the civil war, it is proper to inquire about the man and his opinions on the subjects of the day. He was over six feet in height, weighing two hundred pounds, very erect, and with fair hair and "dark-grey hazel" eyes. He had married in 1850. He was frank and aggressive, of an intense and eager nature, prone to express itself in superlatives, yet with a sense of humor which almost belied certain of his political speeches. His sympathies were very ready, and he is found in congress almost invariably supporting and frequently introducing multifarious bills for the relief of private persons. One of his republican colleagues was able to say of him that, if he could not be depended upon to protect the United States treasury, at any rate he was never hesitant where his own pocketbook was concerned. It is a fact that he died poor, though his law practice was lucrative.

Voorhees was, for the most part, a fierce partisan of the Jackson school, his chief divergence consisting in a tremendous and outspoken respect for state rights, a natural position for one who, as the crisis approached, found himself in close sympathy with the south in its fear and distrust of the negro, of the hated abolitionists, and of the economic power and policies of the east. There are two public speeches of his, given before secession became a fact, which are valuable in relation to the whole question of slavery and the maintenance of the union. They were of a sort to give comfort to thinking southerners who wished to believe that secession could be peaceably achieved. The first of these speeches was delivered before a Virginia jury in 1859 in defense of one of John Brown's associates in the Harper's Ferry tragedy, John E. Cook, the brother-in-law of Governor Willard of Indiana, at whose request Voorhees undertook the case.² It was,

¹ This information is gathered from the biographical sketch by A. B. Carlton prefixed to Daniel Wolsey Voorhees, *Speeches* (Cincinnati, 1875); from the memoir by Judge Thomas B. Long in Voorhees, *Forty years of oratory; Daniel Wolsey Voorhees' lectures, addresses, and speeches, compiled and edited by his three sons and his daughter* (Indianapolis and Kansas City, 1898), volume 1; and from an article by W. W. Thornton, "Daniel W. Voorhees as lawyer and orator," in *Green bag*, 14: 355. The year of Voorhees' birth is sometimes erroneously given as 1828.

² Printed in Voorhees, *Speeches*, and also in *Forty years of oratory*, volume 2.

says James G. Blaine, "a magnanimous act in view of the risk to his position among the pro-slavery Democracy, with whom he was strongly identified in party organization."³ The case seems, however, to have done Voorhees no political harm, and it brought him into national prominence as an advocate. He began his plea with a defense of state rights, argued in the best southern style, and was properly emphatic for one who, although defending an abolitionist, expected to be a democratic candidate for congress in the succeeding year. Following this he proved—to his own satisfaction if not entirely to that of the jury—that slavery had been much strengthened by the episode of Harper's Ferry, and that it was now more fully vindicated than ever, since the slaves, having had the opportunity and the temptation, had utterly failed to rise. His line of defense was to put all the blame on old John Brown for contaminating the young, inexperienced, and dreamy idealist Cook, to fulminate against Brown as the leader whose corrupt mind and strong will dragged others to partake in his criminal enterprise, and finally to announce that "the soldier was never punished for the outrage of his commander." Passing on to more general considerations Voorhees attacked Seward and the "higher law," Wendell Phillips, Joshua Giddings, Charles Sumner, and others, all to the effect that the real blame for Cook's crime resided in the abolitionist teachers of the north, for whom too harsh words were not to be found.

There is another address of Voorhees, less than a year later, which hardly needs comment.⁴ "The American citizen," as it was entitled, was delivered before the literary societies of the University of Virginia on July 4, 1860; it would appear from this that the defense of Cook had not injured his position in the south:

I hold nothing in common with that false and pernicious system of political ethics which proclaims as its favorite dogma the unqualified equality of the whole human family. . . . We see men in our midst, forgetful of the proud name of American citizen, and seeking to debase and tarnish the armorial bearings of the great race to which he belongs, advance the doctrine and urge the theory of absolute human equality.⁵

³ James G. Blaine, *Twenty years of congress: from Lincoln to Garfield. With a review of the events which led to the political revolution of 1860* (Norwich, Conn., 1884-1886), 1: 329.

⁴ Voorhees, *Speeches*, 27 ff.

⁵ *Ibid.*, 35.

And there is more of a very caustic nature about the abolitionists, who are not, however, mentioned as such on this academic occasion. The lecturer then goes on to demonstrate that "abstract equality is visible in none of the works of God." This theme is developed for at least fifteen minutes, ending with a panegyric on "the entire supremacy of the Anglo-saxon race in all useful achievements." The supplanting of the Indians is noted as being by "the same fundamental principle which governed the settlement of Canaan by the children of Israel," with the incidental remark that "but one race was ever designed to participate in the labors, the duties, and the privileges of one government." Then comes that statement, so familiar and dear to southern hearts, and believed in because the institution it attempted to justify was threatened:

Extermination was more desirable to the haughty Red Man than subserviency; but that the philosophy and teaching of all ages, as well as the wisdom of God himself, sanction and justify the existence of a dependent and vassal condition on the part of an inferior toward a superior race where the two are brought in contact, no well-informed and impartial mind will deny. . . . To my mind it is sufficiently clear that the founders of our colonies, and afterwards of our Federal Government, wisely framed and fashioned their institutions for themselves and their posterity, and proclaimed no equality, entered into no partnership, and divided no civil rights with any other race.⁶

After a discussion of the declaration of independence and its use of the word "equality," there comes the rather unsatisfactory statement that "we have seen, at last, a government here assume shape and form, founded on the philosophical relation which exists between the different races that inhabit this continent, and dedicated to the freedom and equality of its citizens."⁷ After which conclusion the American government and its foremost position in the world are held forth for admiration at some length.

In this address the defense and exposition of the doctrine of state rights is marked by some rather strange history:

The American Union is the first confederation of states in the annals of mankind, where the attributes of sovereignty were allowed to remain in its individual members. Centralization of power has been the bane of every confederation of which history

⁶ Voorhees, *Speeches*, 41.

⁷ *Ibid.*, 44.

gives any account, and the brightest displays of learned statesmanship which this or any other age ever beheld were made by the founders of this government in originating and adopting the means whereby that rock of shipwreck and disaster might be forever avoided. . . . They [the states] were the first governments of this country, and delegated, but never surrendered beyond the power of reclamation, certain of their own powers, duly and carefully specified, to the federal government in trust, and to be exercised strictly in obedience to that sacred deed of trust—the Constitution.⁸

Lastly there is an energetic, over-oratorical philippic against the “seditious citizen,” who is portrayed for men’s abomination as the sole cause of all the existing and impending ills of the country.⁹ It is indeed a monster of fanatical disunion that is depicted, and before that Virginia audience it was not necessary to give names: those who were suggested were familiar objects of opprobrium to every southerner.

Such was the northwestern democrat as he first appeared in congress in the summer of 1861. He represented a district predominantly of southern stock and sympathies, conscious that secession was not for itself a possible question and consequently “loyal” to the union, but indisposed to quarrel with the south for leaving; at any rate desirous of conciliation and compromise. The Indiana democracy considered the “black republicans” and abolitionists of the north and especially of New England as even more responsible for the dismemberment of the union than the secessionists themselves: such northerners had forced the war on the south. These middle westerners were in many respects of the north, but they had the same attitude toward the negro as the poor whites of the south, that is, they despised and hated while being a little afraid of him, and were violently opposed to giving him any more rights and privileges than they could help.¹⁰ From this quarter any harmony with the party supported by Giddings and Sumner was hardly to be expected. A third element in the position of the democratic party was the traditional opposition to the Yankee and New England, perhaps in part

⁸ Voorhees, *Speeches*, 45.

⁹ *Ibid.*, 49 ff.

¹⁰ The situation in Illinois was almost analogous. Cf. Norman D. Harris, *History of negro servitude in Illinois, and of the slavery agitation in that state, 1719-1864* (Chicago, 1904), chapter 13.

transmitted from the south, but sufficiently explained by the inevitable relation of a large debtor class to the source of its borrowed capital, and a little later by the agricultural opposition to the protective tariff. A fourth plank on which such democrats as Voorhees were continually taking their stand, in ringing phrases, was the constitution — strictly construed.¹¹ That the necessities of war led to a severe straining of the constitution cannot be denied, nor that all the traditions of the democracy were on the side of a closely limited central government,¹² but one cannot help feeling, in reading the speeches of the time, that the appeals to the constitution, often justified so far as the fate of that instrument itself was concerned,¹³ were in large part mere incidents of an opposition which was inevitable from other causes.

Voorhees, a new and untried member of congress, was not heard from in 1861. His first speech was early in 1862, a temperate and forceful argument against the increasingly radical tendencies beginning to be manifest in the dominant party. He defines his own position very clearly, in terms entirely appropriate to the mass of the loyal democrats of that time, excluding only those who had practically gone over to the republicans. He promises that he will

sustain the government with all my energies in all its constitutional efforts to maintain unbroken the union of these states as our fathers made it; that I will sustain it with all my energies in so conducting this war that it shall "not be waged in the spirit of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or institutions of the states; but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several states unimpaired"; but that I shall oppose unalterably, in all constitutional methods, and to the utmost of my ability, the prosecution of this war for the purpose of subjugating the southern states, reducing them to the condition of territories, subverting their institutions and laws, or liberating their slaves. This position I conceive to be one on which every lover of the

¹¹ The substance of this paragraph is taken largely from James A. Woodburn, "Party politics in Indiana in the civil war," in American historical association, *Annual report*, 1902 (Washington, 1903), 1: 225 ff.

¹² William A. Dunning, *Essays on the civil war and reconstruction and related topics* (revised edition. New York, 1910), 1 ff.

¹³ *Ibid.*, 60.

Union, every disciple of the Constitution, every friend of humanity, can stand. . . . Hard words and brave threats neither weaken our enemies nor strengthen us. This war will not be brought to a close by strong expressions of hate, nor is such a course consistent with a high order of statesmanship.¹⁴

He is speaking for the cause of the union, but the union is dependent on the constitution, which, to his alarm, is threatened "on this floor." No separate point need be made of his fears for the constitution, real though they were. He soon found a menace in every majority measure which he opposed. He asserts that, if universal emancipation is now to be the policy of the government, "a foul deception has been practiced on the loyal people of the nation, and our army has been obtained and mustered into the field by false pretences more gross than were ever before perpetrated to obtain the means with which to carry out secret and unhallowed purposes." He appeals to the "recorded pledges of the government" not to interfere with slavery, quoting Lincoln, Seward, and B. F. Butler. He applauds McClellan's proclamation, made at the beginning of the West Virginia campaign, announcing the intention not to interfere with property in slaves, and says that it "suited the law-abiding people of the mighty Northwest. . . . It was worth, sir, to the recruiting service, a hundred thousand men in the valley of the Mississippi." The spirit of abolitionism was never a friend to the union and is not now. "It is at war with the Constitution, it is an enemy to the government; it is the twin monster to the doctrine of secession, and like the withered and hateful hags on the blasted heath of Scotland, the two together concocted the hell broth of the present civil war." No measures are justified which strain the constitution. State necessity is a "strange and alarming doctrine." It is a "monstrous engine of oppression. . . . It is the bloody, dripping sword of irresponsible power."

From now on his opposition became more violent, more absolute, until it seems the charge of copperheadism must be correct. Certainly Voorhees became a spokesman of the most extreme opinions which were still allowed expression in congress. His fears for the existence of the union sound, at this interval of time, like the ravings of a madman. Referring to the presi-

¹⁴ *Congresesional globe*, 37 congress, 2 session, 903.

dential proclamation suspending the privilege of the writ of habeas corpus, he says: "Condemnation without trial and punishment without limitation is the most exact definition to my mind of the most atrocious tyranny that ever feasted on the groans of the captive or banqueted on the tears of the widow and fatherless."¹⁵ He speaks of "courtiers and parasites," of "fawning minions." "Will some poor, crawling, despised sycophant and tool of executive depotism dare to say that I shall not pronounce the name of Vallandigham? The scandal and stigma of his condemnation and banishment filled the civilized world, and the lethean and oblivious waves of a thousand years will not wash away the shame and reproach of that miserable scene from the American name."¹⁶

He feared that the last act in the tragedy of national honor, of national existence, was being played.¹⁷ "This government is dying, dying, sir, dying."¹⁸ Some of his speeches are one long wail on the sad fate of the constitution, and through all runs the theme, Behold all the incredible and awful things that have happened to the American people, subversive of every principle of historical justice, of the constitution, of the private rights of the individual; the American people will not endure them much further. The fact that the country did endure and support the policy of the administration seems to have impressed him not at all. It is only fair to say, however, that even so distinguished a judgment as that of Rhodes is that the democratic criticisms of the executive in the thirty-seventh congress "were justly taken and undoubtedly had an influence for good on the legislation."¹⁹

Voorhees was not invariably hectic and immoderate. He introduced a bill to increase the pay of the army.²⁰ Blaine notes that "among several other Democratic partisans" he voted for the bill to make Grant a lieutenant-general.²¹ His speech (January, 1865) opposing the thirteenth amendment is concise and calm. He recognizes that slavery is done for and says that the

¹⁵ *Congressional globe*, 37 congress, 3 session, 1058.

¹⁶ *Ibid.*, 38 congress, 1 session, appendix, 73.

¹⁷ *Ibid.*, 37 congress, 3 session, 1058.

¹⁸ *Ibid.*

¹⁹ James F. Rhodes, *History of the United States from the compromise of 1850 to the final restoration of home rule at the south in 1877* (New York, 1892-1906), 4: 229.

²⁰ *Congressional globe*, 38 congress, 1 session, 22.

²¹ Blaine, *Twenty years of congress*, 1: 510.

question "is rapidly diminishing in importance." He himself is indifferent to the result, but he considers the present an improper time to amend the fundamental law of the country and holds, furthermore, "that the Constitution does not authorize an amendment to be made by which any state or citizen shall be divested of acquired rights of property or of established political franchises."²² Voorhees was one of eight democratic absentees when the thirteenth amendment was passed; and Blaine thinks "it may be assumed that they assented to the amendment, but that they were not prepared to give it positive support."²³

There would be small use in rehearsing further Voorhees' utterances in the house. He was considered one of the most virulent opponents of Lincoln and the administration; but although he expressed his fears of executive usurpation and of an absolute despotism most vigorously,²⁴ the writer has been unable to find anywhere a personal reference to Mr. Lincoln, disrespectful or otherwise. Shelby M. Cullom says: "He was a great admirer of Mr. Lincoln. He knew him well; . . . and although they belonged to opposing political parties, he evinced for Lincoln very warm feeling."²⁵ This view is borne out by an unfinished lecture which Voorhees was writing during his last months, in which he devotes some pages to Lincoln, whom he appreciates very quietly and justly, emphasizing his self-sufficiency without self-consciousness.

Voorhees never, throughout the war, ceased to hope for a compromise, for conciliation. He compared the administration with Attila, Genghis Khan, Tamerlane, and Hyder Ali, "who never said conciliate but always said crush," and he said as late as March, 1864, that peace satisfactory to the majority could be immediately negotiated.²⁶ His opposition to New England is shown in the ship canal debate (February 6, 1863),²⁷ and in many discussions of tariff and revenue bills, as well as in the manner

²² *Congressional globe*, 38 congress, 2 session, 180.

²³ Blaine, *Twenty years of congress*, 1: 538.

²⁴ See speech on Louisiana contested election, *Congressional globe*, 37 congress, 3 session, 834.

²⁵ Shelby M. Cullom, *Fifty years of public service; personal recollections of Shelby M. Cullom, senior United States senator from Illinois* (second edition, Chicago, 1911), 133

²⁶ *Congressional globe*, 38 congress, 1 session, appendix, 76.

²⁷ *Ibid.*, 37 congress, 3 session, 768 ff.

in which he locates the wicked abolitionists in that section. His favorite opponent in the house was Mr. Dawes, a prominent member from Massachusetts, and the bickerings between the two are for a time most amusing.

Before turning to the financial questions from which may be developed another chief side of Voorhees' character as a middle western agrarian, it will be best to notice briefly his position with regard to reconstruction. It is easily to be divined, though he did not entirely escape inconsistency. In 1863 he opposed the admission to congress of representatives from Louisiana on the ground that the constitution had not been strictly followed in the manner of their choosing. "The law has been violated. And even if the people have acquiesced in a usurpation, you and I are, by our oaths, forbidden to assist them in carrying it out."²⁸ Strange doctrine indeed from the gentleman from Indiana! In later years he did not see reasons for denying seats to members from the south because they were elected under the proclamation of a president-appointed governor. In fact it was Voorhees who introduced, early in the first session of the notorious thirty-ninth congress, that resolution unqualifiedly endorsing President Johnson's reconstruction policy which so alarmed the extreme republicans.²⁹ In supporting this resolution he denied that the democrats were trying to "steal the president" as was the cry, and said that he had until recently feared that Johnson would be very obnoxious.³⁰ Now, however, his fears were plainly of congress and not of the executive branch, whose every act he had so violently opposed during the war. He had protested against every assumption of authority on the part of Lincoln's provisional governors; now, speaking in praise of Johnson's, he gibed at the radical republicans in the house (an impolitic thing to do in the first place), calling Stevens, not inaptly, the "conscience-keeper of the majority."

Ay, there is the rub. What fat, unctuous, juicy pickings have been lost to the faithful by this cruel policy of the President! What shoals of loyal, hungry sharks, swimming around in these northern waters, have been created out of their anticipated prey.³¹

²⁸ *Congressional globe*, 37 congress, 3 session, 835.

²⁹ *Ibid.*, 39 congress, 1 session, 115.

³⁰ *Ibid.*, 39 congress, 1 session, 150 ff.

³¹ *Ibid.*, 39 congress, 1 session, 152.

He states in concise metaphor the case for the president:

We are asked to ravel to pieces all that the President has done, and to commence the knitting process of reunion for ourselves. The healing principles of the Constitution are, in my judgment, rapidly doing the needed work of restoration, and yet we are at this stage of the process asked to break again the once fractured limbs, to tear agape the half-closed wounds, and to cause the whole land to bleed afresh. Sir, I shall stand by the physician who is working the cure as against that blind and fatal empiricism which first pronounces the patient dead and then commences giving medicine.³²

In the same speech he defends the right of the southern states to representation in congress. His inconsistency seems clear. That his later attitude was the more statesmanlike cannot, unfortunately, be placed unequivocally to his credit, since his turn from hostility to support of the executive was in large part merely a change of front on the same ground, in order to face the greater danger from congress to his principles and sympathies. But it is worth while remarking that he was the first democrat to come out strongly and openly in defense of the presidential policy in the house, and he led his party in that path, harmful as this support was to the cause advocated. That there were limits to Voorhees' partisanship, and that his principles were his own as well as his party's, is indicated by the following extract on a bill to remove the political disabilities of a few Texans:

Mr. Speaker, I would not seek to participate in this debate were it not for some difference of opinion that prevails on this side of the House. I regard political proscription as wrong entirely. There is no part of it right in principle. . . . Looking at the subject in that light, I cannot sympathize with those of my friends on this side of the House who object to this bill because it is partisan in character. . . . I cannot recognize a man's political opinions at all in discussing the right to vote and hold office in this country. . . . It matters not to me if every one named in this bill shall vote with the Republican party.³³

Voorhees was never an officeholder nor a party manager, and his public career was exclusively congressional.³⁴ It may con-

³² *Congressional globe*, 39 congress, 1 session, 151.

³³ *Ibid.*, 41 congress, 2 session, 3033.

³⁴ The only indication to the contrary that the writer has found is the statement that, in the democratic state convention of Indiana in 1858, "Voorhees wrote the

veniently be divided into two main subjects, not lacking connection, but tolerably distinct. The first of these, his attitude on the questions relating to civil war and reconstruction, has already been treated; the second, including mainly matter of a financial nature, remains. Before taking it up the events of Voorhees' life subsequent to 1865 may be briefly noted.

A member of the house of representatives in the thirty-seventh and thirty-eighth congresses, his seat in the election of 1864 was contested by a Colonel Washburn. The committee on elections, as usual, was not very prompt in reporting, and Voorhees held his seat long enough elaborately to uphold his resolution in support of the president. In February, after a spirited debate and an able defense of Voorhees by Mr. Marshall of Illinois, the vote was taken which unseated him. He was not a candidate in 1866; but in 1868 and 1870 was again returned by his district. In 1872 he was defeated by the Greeley candidate, and for four years devoted himself to his law practice in Terre Haute. In 1877, Governor Williams appointed him to fill the unexpired term in the senate occasioned by the death of Oliver P. Morton. As a candidate for the senate before the people in 1878 he is declared to have carried the legislature by a popular majority of over thirty thousand, and on joint ballot by a majority of twenty-three against Benjamin Harrison, the rival candidate;³⁵ but the democrats had "committed grand larceny on the Greenback platform."³⁶ He was reelected in 1884 and 1891 by "unparalleled" majorities, but in 1897, a few months before his death, was defeated by Charles W. Fairbanks. He died in Washington on April 10, 1897. The writer of his memoir remarks that "from his first nomination to Congress in 1856, he never, in any of the conventions in which his name was presented as a candidate for the house or senate, had opposition in his own party."³⁷ In the senate, Voorhees served on the committees on pensions and immigration, and continuously on the committee on finance, of which for a time he was chairman. He was influential in the building of the present Library of congress.

platform, artfully dodging all doubtful issues." Logan Esarey, *History of Indiana* (Indianapolis, 1918), 2: 653.

³⁵ Voorhees, *Forty years of oratory*, 1: 5.

³⁶ Esarey, *History of Indiana*, 2: 878.

³⁷ Voorhees, *Forty years of oratory*, 1: 5.

Voorhees, as has been gathered, was not notable for knowledge in any particular field; he was not a statesman, a legal authority, nor even a party leader. He was primarily an orator, who held such eminence as was granted him by his appeal to the people of his state and by his faithful and eloquent rendition of their sentiments. Nothing unusual, therefore, need be expected in his views on financial questions, and any history of American finance can give the setting and import of the policies that he advocated more properly than they could be indicated here. Four motives dominated his opinions, all closely interrelated and interplaying in various combinations according to the trend of a particular argument. The first of these was the sentiment for free trade on the ground that protection bears hardly on the farmer; the second the desire for a large and freely circulating currency, for plenty of money; the next the antagonism to and distrust of New England and the "money power" in general of all large industries and large creditors; and lastly the chronic objection of the agricultural middle west to being taxed for the benefit of others, an attitude which cropped out at every proposed measure which the farmers did not fully understand. These views, however, sustained some modification during his later senatorial career.

As early as March 10, 1862, Voorhees opposed strongly any project to tax the people of the free states in order to buy the slaves of the southerners.³⁸ Four weeks later he presented a resolution, which was immediately laid on the table, to the effect that the tariff system then in force was unjust and oppressive to the agricultural portions of the community: "All the advantages and wealth of the said system of tariff accrue to a privileged class of manufacturers and capitalists."³⁹ In the debate on an internal revenue bill appeared his sectional jealousy of New England. "Does the manufacturing interest pay anything to the support of the Government? Or does the agricultural interest pay it all?"⁴⁰ Such quotations might be continued indefinitely. It is hardly possible to find a speech during Voorhees' years in the lower house which does not somewhere touch on the unequal burdens which he sees in the revenue system of

³⁸ *Congressional globe*, 37 congress, 2 session, 1150.

³⁹ *Ibid.*, 37 congress, 2 session, 1563.

⁴⁰ *Ibid.*, 38 congress, 1 session, 304.

the republicans. In a very long set speech in 1870⁴¹ Voorhees announced that he was appearing in the cause of the farmer and laboring man against the capitalist, "who toils not, neither does he spin." The argument is almost entirely a demand for the payment of United States bonds in currency (*i.e.* greenbacks) instead of in coin. The debt of the civil war was incurred at a time when the nation was in such straits that it was helpless against the money lenders.

I here solemnly assert and shall prove that a vast proportion of the public debt as it is stated upon paper has no existence whatever in reality; that it is a fiction created by unjust and scandalous legislation . . . that it is a fraud fastened upon the labor of the nation utterly without consideration either legal or moral; that it is a sheer and naked extortion from the necessities, the wants, the helplessness of the people and the armies when they were wholly at the mercy of capital.⁴²

The act of March 18, 1868, pledging coin in payment of all obligations of the government, was an object of much denunciation by Voorhees for many years after, as well as the "crime of 1873." In 1870, logically, he is found advocating an income tax.⁴³

There is one speech, delivered in 1874 at Greencastle, Indiana, when he was not a candidate for any office,⁴⁴ which is an excellent example of Voorhees' oratory, as well as of the current arguments against specie payments. The *Chicago Times* is quoted as demanding the "destroy and burn" method of contracting the currency to a specie basis, on which text a most moving picture is drawn of the suffering of the people if this should be done. He quotes Thaddeus Stevens and John Sherman very convincingly in his support, and asks why they have changed their opinions. He is very fond of talking about the "gold gamblers' den" in New York, and fairly gloats over its horrors. In every case, it must be remembered, the objection to paying bondholders in specie when they paid only greenbacks is made under the express denial that such refusal would be repudiation. Money, he says, is the creature of the government, both as to quality and quantity. After Grant's veto of the republican bill

⁴¹ *Congressional globe*, 41 congress, 2 session, 856 ff.

⁴² *Ibid.*, 41 congress, 2 session, 857.

⁴³ *Ibid.*, 41 congress, 2 session, 2938.

⁴⁴ Voorhees, *Speeches*, 473.

to expand the currency, he says: "the organs of the bondholders' unlawful robbery, the agents of monopoly, have been singing a jubilee in his praise ever since. This is just. He is entitled to the approval and support of all those who think that the people ought to pay more than they owe, who demand a return to specie payments before our national debt is paid according to the laws under which it was created."

Voorhees' first speech in the senate was an appeal for the payment of bonds in currency, for free silver, for the bimetallic standard.⁴⁵ He believed our whole financial system to be "an organized crime against the laboring, tax-paying men and women of the United States" and he protested against the argument of good faith as a means of perpetuating abuses. Greenbacks were declared to be the best money that ever circulated on American soil. Voorhees tried to turn the name of repudiators against the republicans themselves, and said of the act of 1869 pledging gold payments that "in the whole financial history of the civilized world no parallel can be found to this audacious deed of broken faith, deliberate treachery to the people, and national dishonesty."⁴⁶ The demonetization of silver and the act for the resumption of specie payments have, he declares, meant a shrinkage in value of the property of the people of the United States of thirty-five per cent—a criminal confiscation. Voorhees demands essentially the same things as Allen and the protagonists of the "Ohio idea"; the program which he advocates constitutes, he says, a plea for the financial credit of the government. It consists of four items which state pretty comprehensively the desires of the mid-western democracy: the restoration of the silver dollar, the repeal of the resumption act, putting an end to the national banking system, and making greenbacks universal legal tender. Near the end of the speech is a piece of intuitional guesswork rather interesting in such a time and place: "All the widespread influences of capital are organized and combined. The holders of public securities in America and in Europe work together. They think and act in concert."⁴⁷

The idea that the powerful industrial and banking groups of

⁴⁵ *Congressional record*, 7: 330 ff.

⁴⁶ *Ibid.*, 7: 331.

⁴⁷ *Ibid.*, 7: 338.

the east, parallel and similar to those of England, were ruling the country through the republican party, was, in fact, a dominant feature of Voorhees' whole attitude. Exception must, of course, frequently be taken to his expressions, but that his sense of the general trend was wrong can hardly be claimed. As the century advanced and his own community was gradually included within the spreading industrial area of the country, his position began to fluctuate. A minor note appears, that manufacturing industries are not all as wicked as they have been painted, and he even admits frankly to believing in a moderate degree of protection incidental to the procuring of revenue. Voorhees' value as an historical figure lies precisely in this fact, that he was a simple and straightforward nature, with a sound but entirely unsubtle or profound intelligence; he did not think so much as he felt, and the impress of events on him was accordingly direct and uninvolved. At the beginning of his career he represented a community still essentially western, agrarian, and allied in its sympathies more with the south than with the east. During a third of a century, the agricultural character of his state was changed, less by replacement than by a dilution with the industrial elements originally confined to more eastern regions. The result was to make Voorhees less extreme and sectional and more moderate; though he retained his early outlook he was unavoidably affected by new conditions.

In this light Voorhees' position on the various questions arising during his senatorial career may be explained. To the end he remained a staunch defender of the south, a standpoint which on many occasions could be assumed with an excellent grace by a defender of the traditional "rights of American citizens." In a speech of 1879 against laws permitting federal interference in elections he declares:

[They] emanate from that spirit which ruled over Venice, when a whisper or a look of suspicion was more to be dreaded than the blow of a dagger, and when the silent and voiceless accusation doomed its objects to walk the Bridge of Sighs into the caverns of a ruthless and lingering death. In English history there never was a period during which they could have been executed. Charles I lost his head, James II his throne, and George III his American colonies in attempting far less encroachments on the liberties of Englishmen than these laws perpetrate on the liber-

ties of Americans. . . Here at last we behold the citadel of free government stormed and taken.⁴⁸

And he denies bluntly that "anything in the conduct or condition of the southern people requires such laws as now blacken the pages of our statutes. . . The issue thus joined is not sectional. It now concerns the personal liberty of the northern as much as it does the southern voter."⁴⁹

Some years later, in the course of a partisan debate he queries with some pertinence:

The especial anger of the Republican leaders is excited because the vote of the South in a national contest is solid against their party. Will some one on the other side of the chamber, and with even the slightest knowledge of human nature, tell me how the vote of the South could be other than it is?⁵⁰

Of a piece with his defense of the south, his advocacy of free silver and of the cause of the farmer on all occasions, was Voorhees' opposition to the national banks, which was frequently and emphatically expressed during his first term in the senate.⁵¹ The system is called "vast and overshadowing" and the prediction is made that "sooner or later the people of this country, awake to their rights and tired of imposition, will rise against the fatal pretensions of the present system of national banks and . . . tear their charters to pieces."⁵² The shades of Jackson and of the second United States bank are of course invoked in glowing terms; indeed the phrasing of the accusation of the system of Chase might well have come from the struggle with the earlier structure of 1830.

A very enlightening study is the evolution of Voorhees' position on the tariff. During the civil war, as has been seen, he opposed the tariff policy of the republicans. The issue did not again arise in acute form for nearly twenty years, and by 1882 a distinct change of tone is to be noted. "I speak not in support of a tariff for revenue only, nor of a tariff for protection only, but in support of a tariff which collects the necessary revenue and at the same time, to the extent of that revenue, extends protection, with discriminating justice, to American manufac-

⁴⁸ *Congressional record*, 9: 506.

⁴⁹ *Ibid.*, 9: 511.

⁵⁰ *Ibid.*, 19: 3326.

⁵¹ *Ibid.*, 7: 337; 11: 1714; 13: 837, 5073.

⁵² *Ibid.*, 13: 5076.

tories.”⁵³ And he asks especially for protection for the industries of the south, ignoring or not realizing the degree to which protection was bound up with the dominant republicanism. Those familiar with the methods by which tariff changes have commonly been made will smile at the naïve yet eminently sensible view taken by the senator from Indiana:

There are over one thousand dutiable articles in our tariff list. . . I do not think it is wise, intelligent, legislation to make a horizontal scale over all articles. You cannot treat everything alike. Those articles that need more reduction than ten per cent. ought to have that reduction; those that ought to have less should be treated accordingly, and those that ought to have none ought to be left alone.⁵⁴

Later, in an eloquent upholding of Cleveland’s tariff message, he says:

I am one of those who believe there is no necessary antagonism between the agricultural and manufacturing industries of this country. I believe there is a safe, sound middle ground between the high protectionist per se on the one hand, and the wild freetrader and direct taxationist on the other; that the prosperity of this country lies where its growth and development, both of lands and manufactures, will be best promoted and protected.⁵⁵

But a year afterwards he bursts out in a striking phrase on the old theme:

In the bitter, sectional times of the past the stinging taunt was often flung at the Northern Democracy that they were submissive to the South in public affairs, that they were dough-faces on the subject of slavery. With infinitely more of truth and justice that taunt can now be returned against the leaders of the Republican party and their servile obedience to every demand of tariff monopoly and protected trust. They are the dough-faces of a financial slavery as wrong in principle, and often more cruel and heartless in practice than any other form of human servitude ever known in our midst.⁵⁶

The McKinley tariff aroused his full ire, voiced in a heart-racking picture of the desolation of the laboring and farming classes at the hands of a bloated plutocracy:⁵⁷

⁵³ *Congressional record*, 13: 5996.

⁵⁴ *Ibid.*, 13: 6495.

⁵⁵ *Ibid.*, 19: 198.

⁵⁶ *Ibid.*, 20: 348.

⁵⁷ *Ibid.*, 21: 7531 ff.; also in Voorhees, *Forty years of oratory*, 1: 00.

Living under a plutocracy, the farmer does not own his full time and labor. . . . Under the iniquitous system by which the tariff taxes him upon every necessity of life he is compelled to devote the proceeds of at least two days out of the six to the protection and enrichment of the robber barons.⁵⁸

When the turn of the democrats to get at the tariff came in 1894, Voorhees was the nominal manager for the Wilson bill on the floor of the senate, but owing to his ill health the major part of the work was done by Senator Harris of Tennessee. The leadership, remarks Taussig, was "lamentably unskilful." Voorhees' great effort for the democratic bill contains the partisan material to be expected. The McKinley law is again attacked with heavy batteries as being the cause of all the strikes, bankruptcies, and all other economic ills since 1890. There is a very long passage pointing with pride to the Walker tariff of 1846 as "standing out in its wisdom, its success, and its glory over all others," and a fervid peroration on the eternal principles of Jefferson. The democratic purpose, it is pointed out, is "to replace the law of 1890 with a measure of reform, safe, conservative, harmonious in itself, and to which all the wholesome and legitimate industries of the country will speedily adapt themselves and tenaciously cling for secure development and undisturbed growth in the future."⁵⁹ The language is already suspicious of the actual outcome of the matter, but it was a pity such an aim could not be accomplished. Certainly no politician could honestly believe that it would be. No uniform or consistent principle was followed, and the actual changes from the McKinley bill were of minute proportions when compared to democratic utterances.

Voorhees' time of greatest prominence in the public eye was during the famous extra session of 1893 on the repeal of the Sherman silver purchase act. In the last session of the fifty-second congress Voorhees said that he considered the Sherman law vicious in principle, but that if he voted for its repeal, it must be in connection with something better.⁶⁰ Perhaps the urgency of President Cleveland caused him to reconsider, for in the long and strenuous summer session in which a minority of

⁵⁸ *Congressional record*, 21: 2380.

⁵⁹ *Ibid.*, 26: 3391 ff.

⁶⁰ *Ibid.*, 24: 1754.

the senate signalized its power in a way long unforgiven by American publicists, it was Voorhees, as chairman of the committee on finance, who led the fight for repeal. The details of the struggle are unnecessary; Voorhees remained throughout a staunch defender of the administration, while denying that the repeal of the silver purchase clause meant the demonetization of silver.⁶¹ That he made every effort to assert the maintenance of his traditional position on other subjects is indicated not only by subsequent history, but by the offhand manner in which such a periodical as the *Nation* dismissed his vote on the Sherman law as a "lucid interval with which he was mysteriously afflicted."⁶² The event is, however, hardly so abnormal as to require one to follow the example of the *Nation* in explaining it. Voorhees voted for repeal because he saw that the effect of the law as it stood was bad, and because he felt, as he would not have felt ten or twelve years previously, that a sufficiently considerable part of his constituency would back him up in such action. It is worth noting that Voorhees steadily supported Cleveland on the various questions on which Cleveland's party gave trouble, though of old he had been a follower of Thurman far more than of Seymour or of Tilden.

Such westernism as that of Voorhees was already pretty remote from the frontier, as can be seen in his attitude on the Indian question, which tended strongly to the humanitarian and philanthropic.⁶³ In 1890 he thought it more important to feed the Indians properly than to supply the settlers with arms against them, since starvation was the real cause of hostility.⁶⁴ But he was a strong American, protesting often and loudly against imprisonment of American citizens by foreign nations, against an insult to a United States consul, and in general opposing any diplomacy which should smack of knuckling under to another power.⁶⁵ He would "be glad if the power of our flag and of our foreign policy could be asserted with far more spirit than it has been."⁶⁶ Yet he opposed all expansion of the navy on the

⁶¹ *Congressional record*, 25: 2332.

⁶² *Nation*, 57: 458.

⁶³ *Congressional globe*, 41 congress, 2 session, 1579, 1581, 1600; *Congressional record*, 10: 2631.

⁶⁴ *Ibid.*, 22: 45 ff., 68; see also *ibid.*, 23: 2985 ff.

⁶⁵ *Ibid.*, 13: 2886.

⁶⁶ *Ibid.*, 14: 1523.

ground chiefly of its expense to the people.⁶⁷ Such an inconsistency is characteristically American. In his early days Voorhees was a strong expansionist, with an eye southwards,⁶⁸ and he always spoke with enthusiasm of the achievements of the Mexican war; but the writer cannot find that he ever took any interest in the Cuban situation. He was, of course, included in the large class of those not averse to showing public distrust of England.

Voorhees was one of the strongest of the champions of liberal pensions, and was always ready to support the claims of the needy against the United States. He was frequently the sponsor of proposals to buy for the country memorials and portraits of famous people, collections of papers, works of art or pseudo-art dealing with historical subjects, and the like.

On the issue of civil service reform the position of Voorhees was partisan and uninteresting. He talked well, of course, but frankly opposed any reform which did not mean a radical attack on the tenure of office of republicans. He opposed political assessments of officeholders, which he asserted to be a peculiarly republican abuse,⁶⁹ and in a later congress he introduced a bill to prohibit officers and employees of the United States from contributing money for political purposes.⁷⁰ Beyond this his services to the cause are not in evidence. Obviously the matter did not interest him: Indiana had more important things to work for.

There is one question about Voorhees which is of academic rather than of true historic interest. Was he so far on the path of disloyalty in the civil war as to be affiliated with the Knights of the Golden Circle? The evidence is not conclusive, but it seems probable that he was. F. G. Stidger, the agent who was of chief use to the government in disclosing the organization and plans of the treasonable conspiracy in Kentucky and Indiana, records as follows: "In the course of conversation Harrison remarked to Dodd [Grand Commander for Indiana and the real head of the order in the whole country] that he did not consider it advisable to tell Mr. Voorhees too much of the secrets of the Order, somewhat cautioning Dodd against being very free with

⁶⁷ *Congressional record*, 15: 1495; 21: 5282.

⁶⁸ Voorhees, *Speeches*, 54 ff.

⁶⁹ *Congressional record*, 14: 139.

⁷⁰ *Ibid.*, 15: 1047.

the information he imparted to Voorhees.”⁷¹ The only other evidence against Voorhees is contained in a letter to him from General Carrington under date of August 16, 1864, stating the conditions under which certain papers bearing the ritual of the Order of American Knights had been found in rooms formerly occupied by Voorhees as a law office, and in which was still his furniture.⁷² On many occasions Voorhees categorically denied all the charges (which had a habit of springing to life in partisan debates) in unambiguous terms, and alleged in his turn that someone had put the copies of the ritual in his room while he was in Washington, in order to excite feeling against him in the midst of a spirited political contest.⁷³ Lincoln evidently considered Voorhees as definitely disaffected, for in a letter of September 8, 1864, he remarked that Voorhees and Vallandigham were arming the people of the northwest.⁷⁴ At any event, all that can be certainly predicated of the matter is that Voorhees was not active in the councils of the disloyalists; that he was sounded by them and did not feel obliged to divulge such information as came to his ears, seems more than probable.

Voorhees' prominence, as has been said, was due in the main to his oratorical powers, and he was very widely known as a jury pleader in criminal cases. His knowledge of the law was neither broad, nor deep, nor even accurate. “Others gathered the evidence and planned the fight; he made the speech.”⁷⁵ McCulloch says of him that he “could speak eloquently before he could speak correctly.”⁷⁶ In college he was already noted as an orator.⁷⁷ One of his most famous cases was the defense of John E. Cook, mentioned above, which brought him national

⁷¹ Felix G. Stidger, *Treason history of the Order of Sons of liberty, formerly Circle of Honor, succeeded by Knights of the Golden Circle, afterward Order of American Knights. The most gigantic treasonable conspiracy the world has ever known* (Chicago, 1903), 100.

⁷² *Ibid.*, 137 ff.; also printed in William D. Foulke, *Life of Oliver P. Morton, including his important speeches* (Indianapolis, 1899), 1: 391 ff.

⁷³ *Congressional globe*, 39 congress, 1 session, 917; 41 congress, 2 session, 1485.

⁷⁴ Ida M. Tarbell, *Life of Abraham Lincoln, drawn from original sources and containing many speeches, letters, and telegrams hitherto unpublished, and illustrated with many reproductions from original paintings, photographs, etc.* (New York, 1909), 3: 203.

⁷⁵ Thornton, “Daniel W. Voorhees as lawyer and orator,” in *Green bag*, 14: 364.

⁷⁶ Hugh McCulloch, *Men and measures of half a century; sketches and comments* (New York, 1900), 74.

⁷⁷ Thornton, “Daniel W. Voorhees as lawyer and orator,” in *Green bag*, 14: 356.

fame.⁷⁸ John Brown was convicted of treason and murder, but Cook of murder alone, due to Voorhees' plea. W. W. Thornton, writing in a serious if not weighty legal periodical, says of him: "In the whole range of forensic oratory there is not a more eloquent and forcible appeal to a jury for lenience than Voorhees made."⁷⁹ Other successful jury arguments (Voorhees always made the closing address) are the defense of Mary Harris for murder—"perhaps his greatest speech";⁸⁰ the defense of Harry Crawford Black for killing the seducer of his sister;⁸¹ the defense of Edward T. Johnson for the murder of the seducer of his wife;⁸² and the case of Hallett Kilbourne against the sergeant-at-arms of the house of representatives for false imprisonment. The verdict in this case was twice set aside as awarding excessive damages,⁸³ on the first of which occasions the judge remarked:

I think we can trace the influence upon the minds of the jury largely to the powerful appeal addressed to them in the argument of the counsel who closed the case on the part of the plaintiff. They were evidently moved by his eloquence and inspired by the magnanimity of his sentiments so that they overlooked the more sober and impassive instructions of the law.⁸⁴

Finally may be given the statement, remarkable if true, that in 1873 the law of Indiana allowing the defendant the closing argument in criminal cases was changed and that privilege given to the prosecution, "and this was brought about almost wholly because of the many triumphs of Voorhees."⁸⁵

Enough has been said to indicate the field of Voorhees' glory and the great success which he there enjoyed. His expression was flowery and often exaggerated, copious but not verbose. Certainly it has a good American flavor and brings to our lips sometimes the smile which most manifestations of the Victorian

⁷⁸ Carlton, in his biographical sketch in Voorhees, *Speeches*, says that even as late as 1875 Voorhees was in receipt of frequent requests for copies of this speech.

⁷⁹ Thornton, "Daniel W. Voorhees as lawyer and orator," in *Green bag*, 14: 357.

⁸⁰ *Ibid.*, 14: 358.

⁸¹ Voorhees, *Forty years of oratory*, 2: 598.

⁸² *Ibid.*, 2: 449.

⁸³ Thornton, "Daniel W. Voorhees as lawyer and orator," in *Green bag*, 14: 361.

⁸⁴ Voorhees, *Forty years of oratory*, 2: 508.

⁸⁵ Thornton, "Daniel W. Voorhees as lawyer and orator," in *Green bag*, 14: 363; Meredith Nicholson, *The Hoosiers* (New York, 1900), 15.

age now evoke, but the writer cannot agree with such half-sneering remarks as those made by a sophisticated reviewer in the *Nation*.⁸⁶ Voorhees had the essentials of real eloquence. His presence was magnetic and imposing, winning for him the sobriquet of "Tall Sycamore of the Wabash." Not a maker of easily quotable phrases, he had nevertheless smoothness of diction and picturesqueness of image, while he delivered in an exceedingly melodious and ringing voice that could be heard distinctly in the largest assembly.⁸⁷ McCulloch declares that "upon the stump Voorhees had few equals and no superiors,"⁸⁸ while a more recent writer has called him the greatest forensic orator of his day in the Ohio valley.⁸⁹ Even one who now looks on Voorhees' speeches on dead issues must be struck with their readability and with the attraction of a simple and earnest personality.

HENRY D. JORDAN

UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS

⁸⁶ *Nation*, 66: 365.

⁸⁷ McCulloch, *Men and measures of half a century*, 74. This paragraph conveys exactly the same picture as that conveyed in the longer article of Thornton.

⁸⁸ *Ibid.*

⁸⁹ Nicholson, *The Hoosiers*, 15.